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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/420,885	10/19/1999	HEDY SHAD	ABC0105	3398

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EXAMINER

ELISCA, PIERRE E.

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 04/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. <b>09/420,885</b>	Applicant(s) <b>Hedy, Shad</b>
Examiner <b>Pierre E. Elisca</b>	Art Unit <b>3621</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on 09/26/2002.

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-26 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-26 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____	6) <input type="checkbox"/> Other: _____

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**DETAILED ACTION**

**RESPONSE TO AMENDMENT**

1. This Office action is in response to Applicant's response filed on 09/26/2002.
2. Claims 1-26 are pending.

***Claim Rejections - 35 USC § 102***

3. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371C of this title before the invention thereof by the applicant for patent.

4. **Claims 1, 5, 10, 16, 17, 18, 19, 21, 23 and 24 are rejected under 35 U.S.C. 102 (e) as being anticipated by DeFrancesco et al. (U.S. Pat. No. 5,878,403).**

As per claims 1, 5, 10, 16, 17, 18, 19, 21, 23 and 24 DeFrancesco discloses a credit application and routing (routing or gateway) system includes a central processor having and executing a program. The system includes data input capabilities for selectively receiving credit application data from respective applicants at remote locations, and routing capabilities for selectively forwarding the credit application data to remote funding sources and selectively forwarding funding decision data from the funding sources to the respective applicants (which is seen to read as Applicant's claimed

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invention wherein it is stated that a computer-based system for a client to transmit a credit inquiry pertaining to a client customer to a credit bureau and receive a response to the inquiry from the credit bureau) the system comprising:

a client (or applicant) terminal having a web browser for entering and displaying the credit inquiry and the credit bureau response in HTML format, the client terminal being operated by the client (see., abstract, please note that DeFrancesco further discloses a central processor that is connected with a local area network or Internet or wire area network, and therefore, in order for the Applicant to receive credit report from the credit bureau over the Internet or local area network a HTML format is needed, and also col 1, lines 13-67, col 2, lines 1-3, fig 1A).

A central processing unit functioning as a web server, the CPU having and executing a common gateway (gateway or routing) interface CGI application program for directing the operations of the CPU and controlling the formatting and transmitting of the credit inquiry and credit bureau response between the client terminal and the credit bureau (see., abstract, fig 1A , items 113, 123a, 113b, 102, col 1, lines 13-67);

a first communications link for connecting the client terminal to the CPU, thereby facilitating the transfer of the credit inquiry from the client terminal to the CPU, and the transfer of the credit bureau response from the CPU to the client terminal, the first communications link comprising the Internet (see., abstract, fig 1A, col 1, lines 13-67, col 2, lines 1-3); and

a second communications link for connecting the CPU to the credit bureau, thereby facilitating the transfer of the credit inquiry from the CPU to the credit bureau, and the transfer of the credit bureau

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response from the credit bureau to the CPU, the second communications link comprising a dedicated line (see., abstract, fig 1A, col 1, lines 13-67, col 2, lines 1-3); whereby the format of the credit bureau response is converted and displayed to the client in HTML format, providing credit information to the client in a format that is more easily read understood than the format provided by the credit bureau (see., abstract, please note that DeFrancesco further discloses a central processor that is connected with a local area network or Internet or wire area network. Furthermore the credit bureau of DeFrancesco has a its own format (TTY) , and therefore, in order for the Applicant to receive credit report from the credit bureau over the Internet or local area network a HTML format is needed, and also col 1, lines 13-67, col 2, lines 1-3, fig 1A).

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 3, 4, 6, 7, 8, 9, 11, 13, 14, 15, 20, 22, 25 and 26 are rejected under 35 U.S.C. 103 (a) as being unpatentable over DeFrancesco et al in view of Katznelson (U.S.Pat. No. 5,010,571).

As per claims 2, 4, 6, 7, 8, 9, 11, 13, 14, 15, 20, 22, 25 and 26 DeFrancesco substantially discloses the claimed limitations as recited in claim 1 above . It is noted that DeFrancesco fails to

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disclose the steps of encrypting/decrypting credit inquiry. However, Katznelson discloses a credit data signal that contains the credit data in both encrypted/decrypted form (see., col 3, lines 36-51). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teaching of DeFrancesco by including the limitation detailed above as taught by Katznelson because it would provide means for reporting the recorded amount of data retrieved from the file, and ,means for authenticating such report.

**As per claims 3, 12, DeFrancesco discloses the claimed limitations as stated in claim 2 above, wherein the means for entering the credit inquiry includes displaying electronic credit inquiry forms in HTML format in the web browser of the client terminal, the forms being provided by the CPU (see., abstract, Fig 1A, col 1, lines 13-67, col 2, lines 1-3, please note that DeFrancesco further discloses a central processor that is connected with a local area network or Internet or wire area network, and therefore, in order for the Applicant to receive credit report from the credit bureau over the Internet or local area network a HTML format is needed).**

#### **RESPONSE TO ARGUMENTS**

7. Applicant's arguments filed on 09/26/2002 have been fully considered but they are not persuasive.

#### **REMARKS**

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8. In response to Applicant's arguments, Applicant argues that DeFrancesco fails to disclose:
  - a. "a client (or applicant) terminal having a web browser for entering and displaying the credit inquiry and the credit bureau response in HTML format, the client terminal being operated by the client". As indicated above, Defrancesco discloses a central processor that is connected with a local area network or Internet or wire area network, and therefore, in order for the Applicant to receive credit report from the credit bureau over the Internet or local area network a HTML format is needed, and also col 1, lines 13-67, col 2, lines 1-3, fig 1A, see., abstract).
  - b. A central processor....operably coupled to a communications medium

#### CONCLUSION

9. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

**Any response to this action should be mailed to:**

Commissioner of Patents of Trademarks

Washington, D.C. 20231

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The Official Fax Number For TC-3600 is:

**(703) 305-7687**



Pierre Eddy Elisca

Patent Examiner

April 07, 2003